

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

Bail Appl..No. 7501 of 2007()

CMP.3066/2007 of J.M.F.C.-II, KANNUR
CRIME NO.159/06 OF KANNUR CITY POLICE STATION
CRIME NO.104/07 OF CBCID SIG-II, ERNAKULAM
.....

: PETITIONER/ACCUSED

K.L.GEETHA RANI, D/O.LEELA S.NAIR,
SREERAGAM HOUSE, KAITHA THEKKU MURI,
KANNAMANGALAM VILLAGE, MAVELIKKARA
TALUK, ALAPPUZHA DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
SUB INSPECTOR OF POLICE, KANNUR CITY POLICE
STATION, NOW PENDING BEFORE CBCID-SIG-II,
ERNAKULAM THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11/12/2007, ALONG WITH BA NO.7621 OF 2007, BA NO.7618 OF
2007, BA NO. 7510 OF 2007 & BA NO. 7697 OF 2007, THE COURT ON
THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

**B.A.Nos.7501, 7510, 7618, 7621 &
7697 of 2007**

Dated this the 11th day of December, 2007

ORDER

These applications are for regular bail. The common petitioner in all these 5 petitions is a woman. In B.A.No.7510 of 2007, 2 other co-accused have also applied for regular bail along with her. In all these cases, investigation was completed and final report was filed. Later, applications were filed by the C.B.C.I.D to re-open the investigation in all such cases. Accordingly further investigation was conducted by the C.B.C.I.D. In all these cases the petitioners/accused face the allegation that they have committed the offence of cheating punishable under Section 420 I.P.C. Gullible job seekers were fraudulently deceived to part with money on the promise that employment will be secured for them. Some of them were assured of employment abroad and some of them were promised respectable employment in India itself. The further investigation in 4 of these petitions has not been completed. The further investigation has been completed in the case to which B.A.No.7621 of 2007 relates.

2. The common petitioner in all these cases remains in custody from 10.08.07 - ie. the last date on which she was arrested. She continues in custody from that date. Her arrest has been recorded in all these crimes on different dates later. Petitioners 2 and 3 in B.A.No.7510 of 2007 continue in custody for more than 60 days.

3. The learned counsel for the petitioners submits that the petitioners are innocent. They may be enlarged on bail subject to any appropriate conditions, he prays. The learned Public Prosecutor opposes the application. The learned Public Prosecutor submits that notwithstanding the fact that the common petitioner is a woman, notwithstanding the fact that the common petitioner has remained in custody for a long time and notwithstanding the fact that the investigation was once completed and that further investigation only is pending in these matters, the prosecution is obliged to oppose the application for regular bail in these cases because of the questionable antecedents of the common petitioner. If at all this Court were pleased to grant bail to the common petitioner, appropriate strict conditions may be insisted which shall ensure that the common

petitioner shall be available for trial in all these cases and that she will not repeat commission of such offences.

4. Notwithstanding the opposition of the learned Public Prosecutor, I am satisfied in the facts and circumstances of this case that regular bail can be granted to all the petitioners subject of course to appropriate conditions which shall allay the apprehensions aired by the learned Public Prosecutor .

5. In the result, these bail applications are allowed. The petitioners shall be released on bail on the following terms and conditions.

i) In each case the petitioners shall execute bonds for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate. Considering the nature and circumstances of this case, I need only observe that the learned Magistrates concerned must carefully ensure that the sureties offered are sufficient and solvent;

ii) The petitioners shall until further orders report before the C.B.C.I.D S.I.G-II, Ernakulam on all Mondays between 10 a.m and 11 a.m until further orders;

iii) The petitioners shall not leave the Sessions Division of Ernakulam until further orders without the prior permission of the learned Magistrate except for the purpose of appearing before the courts concerned in which event prior information shall be given to the C.B.C.I.D S.I.G-II of such event.

(R.BASANT, JUDGE)

rtr/-